

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA,)	
)	
v.)	
)	Case No. 2:16-CR-000084-1
ALISON GU,)	
Defendant)	

MOTION FOR AUTHORIZATION TO TRAVEL

Defendant, Alison Gu, by her attorney, Assistant Federal Defender David L. McColgin, moves this Court for an order authorizing her travel to Florida on March 18, 2017, returning on April 1, 2017. In support, counsel asserts the following:

A. Background

Ms. Gu is charged in a three-count superseding indictment with bank fraud, false statement in passport application, and fraud with identification documents. She was arraigned on the original indictment on June 29, 2016, and released on conditions that permitted her to travel without authorization between Vermont and Connecticut. She was required to obtain advance authorization from her supervising Pre-trial Services Officer for travel to other states. Ms. Gu's supervision was by Pre-trial Services in Connecticut because she has a residence there. On July 19, 2017, a superseding indictment was issued adding Matthew Abel as a co-defendant on count one. Ms. Gu was continued on the same conditions of release.

On March 9, 2017, a bond hearing was held before Magistrate Judge John M. Conroy to review Ms. Gu's conditions of release. By agreement, Ms. Gu's conditions of release were modified to include the requirement that Ms. Gu provide the probation officer with all requested

financial information, that she consent to periodic credit report requests, and that she not engage in conduct using alias identifications. In addition, Ms. Gu's supervision was transferred from Connecticut to Vermont, in view of that fact that she is now spending about half of each week in Vermont, where her son is attending high school.

Also on March 9, 2017, the government filed a motion for revocation of release. *See* Doc. 94. The hearing on the government's motion is set for April 3, 2017, before Judge Conroy.

B. The travel to Florida

Ms. Gu has previously been granted permission by her Pre-trial Services Officer to travel to Florida. She is requesting permission to travel once again, on March 18, 2017, returning on April 1, 2017. Her father who is in poor health lives in Florida, and Ms. Gu, who is his only daughter, needs to visit him in order to help take care of his affairs. While she is in Florida, she will be staying at 385 Cedar Avenue, Cocoa Beach, Florida.

Counsel has been informed by Probation Officer Michael Cusick, who just started supervising Ms. Gu since the date of her last hearing on March 9, 2017, that he is unwilling to authorize the travel without the Court's approval, in view of the upcoming hearing on the government's detention motion set for April 3, 2017. Counsel has also been informed by counsel for the government, Assistant United States Attorney Michael Drescher, that the government opposes granting this motion for authorization.

The fact that Ms. Gu has a hearing on the government's motion for detention set for April 3, 2017, should have no bearing on whether she is granted authorization to travel to Florida. She has previously been granted permission to travel to Florida without incident, and there is no evidence that she is a risk of flight. In addition, the allegations in the government's motion for

detention date back to August 2016. The government did not see any need to act on these allegations through a motion for detention until seven months later – in March 2017. Clearly, there is no sudden urgency to these allegations that would support denying authorization for travel now.

C. Conclusion

For the foregoing reasons, this Court should grant the motion for authorization to travel to Florida on March 18, 2017, and return on April 1, 2017.

Dated: March 15, 2017

MICHAEL L. DESAUTELS
FEDERAL PUBLIC DEFENDER

By: /s/ *David L. McColgin*

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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of March, 2017, I electronically filed a **Motion for Authorization to Travel** with the Clerk of Court using the CM/ECF system, which will send notification of such filing(s) to the following: Michael Drescher, Assistant United States Attorney, United States Attorney's Office via Michael.drescher@usdoj.gov.

MICHAEL L. DESAUTELS
FEDERAL PUBLIC DEFENDER

By: /s/ *Samantha M. Barrett*
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